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SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT
Patent Application
Docket No. UF-270C2
Serial No. 10/788,501

June 27, 2005


Margaret H. Efron, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard J. Melker, James Chris Sackellares, and Mark S. Gold
Serial No. : 10/788,501
Filed : February 26, 2004
Examiner : *Not yet assigned*
Art Unit : 3736
Conf. No. : 7441
For : System and Method for Therapeutic Drug Monitoring

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.56, 1.97, AND 1.98

Sir:

In accordance with 37 C.F.R. §§1.56, 1.97, and 1.98 the references on the attached form PTO/SB/08 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. For the examiner's convenience, full text copies of the non-patent literature documents and a copy of the first page of the cited foreign patent documents are also enclosed. A full-text copy of U.S. Patent Application No. 09/708,789 is also provided herewith. The Applicants further note that German Patent Application Nos. DE 19607646 and DE 29902593, European Patent Application No. 0979997,

Japanese Patent Application Nos. JP 08313407 and JP 09196915, and Russian Patent Application No. RU 2104535 cited as F1, F2, F4, F8, F9, and F10, respectively, on the attached Form PTO/SB/08 are written in a foreign language. However, English language abstracts are provided for each of these foreign patent documents.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with initials or other appropriate marks. If any additional fee is required, or to credit any overpayment, please use Deposit Account No. 19-0065.

The applicants respectfully assert that the substantive provisions of 37 C.F.R. §§1.56, 1.97, and 1.98 are met by the foregoing statement.

Respectfully submitted,



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MHE/lj

Attachments: Form PTO/SB/08
Copies of references listed

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

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Complete if Known

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 Group Art Unit 3736
 Examiner Name Not yet assigned
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Examiner Initials*	Cite No. ¹	U.S. Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Code ²	Kind (if known)			
	U1	3,567,029		03-02-1971	Quame	
	U2	3,608,546		09-28-1971	Shinn	
	U3	3,877,291		4-15-1975	Hoppesch <i>et al.</i>	
	U4	3,955,926		5-11-1976	Fischer	
	U5	4,215,409		07-29-1980	Strowe	
	U6	4,334,540		6-15-1982	Preti <i>et al.</i>	
	U7	4,349,626		9-14-1982	Labows <i>et al.</i>	
	U8	4,432,226		02-21-1984	Dempster	
	U9	4,456,014		06-26-1984	Buck <i>et al.</i>	
	U10	4,534,360		8-13-1985	Williams	
	U11	4,772,559		9-20-1998	Preti <i>et al.</i>	
	U12	4,868,545		09-19-1989	Jones	
	U13	5,082,630		01-21-1992	Partin <i>et al.</i>	
	U14	5,167,972	A	12-01-1992	Greenberg <i>et al.</i>	
	U15	5,296,706	A	03-22-1994	Braig <i>et al.</i>	
	U16	5,361,771	A	11-08-1994	Craine <i>et al.</i>	
	U17	5,409,839	A	04-25-1995	Balestrieri <i>et al.</i>	
	U18	5,453,359	A	09-26-1995	Gargan <i>et al.</i>	
	U19	5,482,601	A	1-09-1996	Ohshima <i>et al.</i>	
	U20	5,495,744	A	03-05-1996	Ueda <i>et al.</i>	
	U21	5,571,401	A	11-05-1996	Lewis <i>et al.</i>	
	U22	5,573,955	A	11-12-1996	Khanna <i>et al.</i>	
	U23	5,634,517	A	06-03-1997	Linden <i>et al.</i>	
	U24	5,645,072	A	7-08-1997	Thrall <i>et al.</i>	
	U25	5,716,852	A	02-10-1998	Yager <i>et al.</i>	
	U26	5,783,449	A	7-21-1998	Kuznetsov	
	U27	5,801,297	A	09-01-1998	Mifsud <i>et al.</i>	

Examiner
Signature

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Sheet 2 of 7

Complete if Known

Application Number	10/788, 501
Filing Date	February 26, 2004
First Named Inventor	Richard J. Melker
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		Number Code ²	Kind (if known)			
	U28	5,826,577	A	10-27-1998	Perroz <i>et al.</i>	
	U29	5,861,254	A	1-19-1999	Schneider <i>et al.</i>	
	U30	5,866,434	A	02-02-1999	Massey <i>et al.</i>	
	U31	5,891,398	A	04-06-1999	Lewis <i>et al.</i>	
	U32	5,925,014	A	07-20-1999	Teeple Jr.	
	U33	5,928,167	A	07-27-1999	Wagner <i>et al.</i>	
	U34	5,932,877	A	08-03-1999	Braig <i>et al.</i>	
	U35	5,958,896	A	09-28-1999	Renshaw <i>et al.</i>	
	U36	5,996,586	A	12-07-1999	Phillips	
	U37	6,007,775	A	12-28-1999	Yager	
	U38	6,025,200	A	02-15-2000	Kaish <i>et al.</i>	
	U39	6,057,162	A	5-02-2000	Rounbehler <i>et al.</i>	
	U40	6,063,243	A	5-16-2000	Zetl <i>et al.</i>	
	U41	6,067,167	A	5-23-2000	Atkinson <i>et al.</i>	
	U42	6,074,345	A	06-13-2000	Van Oostrom <i>et al.</i>	
	U43	6,094,681		07-25-2000	Shaffer <i>et al.</i>	
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	U45	6,120,443	A	09-19-2000	Cohen-Laroque	
	U46	6,131,571	A	10-17-2000	Lampotang <i>et al.</i>	
	U47	6,153,147	A	11-28-2000	Craig	
	U48	6,190,858	B1	2-20-2001	Persaud <i>et al.</i>	
	U49	6,203,814	B1	3-20-2001	Fisher <i>et al.</i>	
	U50	6,221,026	B1	4-24-2001	Phillips	
	U51	6,234,006	B1	05-22-2001	Sunshine <i>et al.</i>	
	U52	6,237,397	B1	05-29-2001	Shinar <i>et al.</i>	
	U53	6,248,078	B1	6-19-2001	Risby <i>et al.</i>	
	U54	6,261,783	B1	7-17-2001	Jayasena <i>et al.</i>	
	U55	6,264,913	B1	07-24-2001	Wagner	

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	U56	6,277,081	B1	08-21-2001	Susi <i>et al.</i>	
	U57	6,283,953	B1	09-04-2001	Ayer <i>et al.</i>	
	U58	6,303,316	B1	10-16-2001	Kiel <i>et al.</i>	
	U59	6,312,390	B1	11-06-2001	Phillips	
	U60	6,363,772	B1	4-02-2002	Berry	
	U61	6,387,329	B1	5-14-2002	Lewis <i>et al.</i>	
	U62	6,399,302	B1	6-04-2002	Lannigan <i>et al.</i>	
	U63	6,416,479	B1	07-09-2002	Seidman	
	U64	6,455,319	B1	09-24-2002	Lewis <i>et al.</i>	
	U65	6,467,333	B2	10-22-2002	Lewis <i>et al.</i>	
	U66	6,479,019	B1	11-12-2002	Goldstein <i>et al.</i>	
	U67	6,495,824	B1	12-17-2002	Atkinson	
	U68	6,558,626	B1	05-06-2003	Aker <i>et al.</i>	
	U69	6,589,727	B1	07-08-2003	Klenerman <i>et al.</i>	
	U70	6,597,438	B1	07-22-2003	Cabuz <i>et al.</i>	
	U71	6,598,459	B1	07-29-2003	Fu	
	U72	6,599,253	B1	07-29-2003	Baum <i>et al.</i>	
	U73	6,620,800	B1	09-16-2003	Roberts II	
	U74	6,631,333	B1	10-07-2003	Lewis <i>et al.</i>	
	U75	6,727,075	B2	04-27-2004	Fitzgerald <i>et al.</i>	
	U76	6,755,783	B2	06-29-2004	Cosentino <i>et al.</i>	
	U77	2001/0021815	A1	09-13-2001	Katzman <i>et al.</i>	
	U78	2001/0046674	A1	11-29-2001	Ellington	
	U79	2001/0050228	A1	12-13-2001	Jaeger	
	U80	2001/0055544	A1	12-27-2001	Copp	
	U81	2002/0007687	A1	01-24-2002	Zimmermann <i>et al.</i>	
	U82	2002/0068295	A1	6-06-2002	Madou <i>et al.</i>	
	U83	2002/0034757	A1	3-21-2002	Cubiciotti	
	U84	2003/0004426	A1	01-02-2003	Melker <i>et al.</i>	
	U85	2003/0059820	A1	03-27-2003	Vo-Dinh	
	U86	2003/0087239	A1	05-08-2003	Stanton <i>et al.</i>	

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Substitute for form 1449A/PTO			<div>Complete if Known</div> <table border="1"> <tr> <td>Application Number</td> <td>10/788, 501</td> </tr> <tr> <td>Filing Date</td> <td>Febraury 26, 2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Richard J. Melker</td> </tr> <tr> <td>Group Art Unit</td> <td>3736</td> </tr> <tr> <td>Examiner Name</td> <td>Not yet assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>UF-270C2</td> </tr> </table>		Application Number	10/788, 501	Filing Date	Febraury 26, 2004	First Named Inventor	Richard J. Melker	Group Art Unit	3736	Examiner Name	Not yet assigned	Attorney Docket Number	UF-270C2
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		Code ⁵ Office ³ (known)	Kind Number ⁴ (if				
	F1	DE 19607646 (English Abstract)	A1	Muehlenberg <i>et al.</i>	09-11-1997		
	F2	DE 29902593 (English Abstract)		Genzyme Virotech GmbH	08-26-1999		
	F3	EP 0 370 151	A1	L'Air Liquide, S. A.	05-30-1990		
	F4	EP 0 979 997 (English Abstract)	A1	Siemens AG	02-16-2000		
	F5	GB 829,409	A	Governors of the United Birmin	03-02-1960		
	F6	GB 2 309 166	A	Cleansharp Limited	07-23-1997		
	F7	GB 2 329 245	A	Cavkit Limited	03-17-1999		
	F8	JP 08313407 (English Abstract)	A	Suzuki Motor Corp.	11-29-1996		
	F9	JP 09196915 (English Abstract)	A	Otsuka Pharmaceut Co. Ltd.	07-31-1997		
	F10	RU 2104535 C1 (English Abstract)		Kogan <i>et. al.</i>	02-10-1998		
	F11	WO 87/02773	A1	Autosense Corp.	05-07-1987		
	F12	WO 95/08113	A1	Alpha M.O.S.	03-23-1995		
	F13	WO 98/57145	A1	Quadrivium, L.L.C.	12-17-1998		
	F14	WO 00/25108	A1	Copp Life Systems	05-04-2000		
	F15	WO 00/79243	A1	Cyrano Sciences, Inc.	12-28-2000		
	F16	WO 2002/079514	A1	The Trustees of Boston College	10-10-2002		
	F17	WO 03/016901	A1	Samsung Electronics Co., Ltd.	02-27-2003		
	F18	WO 2004/065404	A1	University of Florida Research Foundation, Inc.	08-05-2004		

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Sheet	6	of	7	Attorney Docket Number	UF-270C2

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	R1	DICKINSON, T. A. <i>et al.</i> , "Current Trends in 'Artificial-Nose' Technology," <i>Tib Tech</i> , 1998, 16:250-258.		
	R2	FISHER <i>et al.</i> "A man-portable chemical sniffer utilizing Novel Fluorescent polymers for detection of ultra-trace concentrations of explosives emanating from landmines," <i>Nomadics Inc.</i> (2000), PAGES 1-10.		
	R3	GANGA-ZANDZOU, P.S. <i>et al.</i> "A 13C-urea breath test in children with <i>Helicobacter pylori</i> infection: validity of the use of a mask to collect exhaled breath sample," <i>Acta. Paediatr.</i> (2001), Volume 90, pages 232-233.		
	R4	HAMMON III, W. S. <i>et al.</i> , "Forensic GPR: Finite-Difference Simulations of Responses From Buried Human Remains," <i>Journal of Applied Geophysics</i> , (2000), 45:171-186.		
	R5	HONG, C. <i>et al.</i> , "Carbon Nanotube-Enhanced Electrochemical DNA Biosensor for DNA Hybridization Detection" (2003), <i>Anal. Bioanal. Chem.</i> , 375:287-293.		
	R6	LIEBICH <i>et al.</i> "Volatile Substances in Blood Serum: a Profile Analysis and Quantitative Determination," <i>Journal of Chromatography</i> (1977), Volume 142, pages 505-516.		
	R7	MILLER III, E. R. <i>et al.</i> , "Association Between Cigarette Smoking and Lipid Peroxidation in a Controlled Feeding Study," <i>Circulation</i> , (1997), 96(4):1097-1101.		
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	R9	PANTAROTTO D. <i>et al.</i> , "Synthesis, Structural Characterization, and Immunological Properties of Carbon Nanotubes Functionalized with Peptides" (2003), <i>J. Am. Chem. Soc.</i> , 125:6160-6164.		
	R10	PAVLOU and TURNER. "Sniffing out the truth: Clinical Diagnosis Using the Electronic Nose," <i>Clin. Chem. Lab. Med.</i> (2000), Volume 38, number 2, pages 99-112.		
	R11	PERRI, F. "Diagnosis of <i>Helicobacter pylori</i> infection: which is best? The urea breath test," <i>Dig. Liver. Dis.</i> (2000), Volume 32, Supp. 3, pages S196-198.		

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		Application Number	10/788, 501		
		Filing Date	February 26, 2004		
		First Named Inventor	Richard J. Melker		
		Group Art Unit	3736		
		Examiner Name	Not yet assigned		
Sheet	7	of	7	Attorney Docket Number	UF-270C2

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	R12	Pilar Kraman, "Prescription Drug Diversion," <i>Trends Alert</i> provided by the Council of State Government at www.csg.org (April 2004).	
	R13	ROGERS <i>et al.</i> "Fiber-optic biosensors based on total internal-reflection fluorescence," <i>American Chemical Society</i> (1992), Ch. 13, pages 165-173.	
	R14	STUART, B. H. <i>et al.</i> , "Studies of Adipocere Using Diffuse Reflectance Infrared Spectroscopy," <i>Vibrational Spectroscopy</i> , 24:233-242, (2000).	
	R15	STUBBS, D. D. <i>et al.</i> , "Investigation of Cocaine Plumes Using Surface Acoustic Wave Immunoassay Sensors," <i>Anal. Chem.</i> , 75:6231-6235, (2003).	
	R16	TRACQUI, A. <i>et al.</i> "Systematic Toxicological Analysis Using HPLC/DAD," <i>Journal of Forensic Sciences</i> (1995), Volume 40, Number 2, pages 254-262.	
	R17	U.S. FOOD AND DRUG ADMINISTRATION, "FDA White Paper, Protecting the Public Health: FDA Pursues and Aggressive Enforcement Strategy," www.fda.gov/oc/whitepapers/enforce.html (06-30-2003).	
	R18	U.S. FOOD AND DRUG ADMINISTRATION, "New FDA Initiative to Combat Counterfeit Drugs," www.fda.gov/oc/initiatives/counterfeit/background.html (07-02-2004).	
	R19	UNITED STATES DEPARTMENT OF JUSTICE, "Review of the Drug Enforcement Administration's (DEA) Control of the Diversion of Controlled Pharmaceuticals," Report Number I-2002-010 www.usdoj.gov/oig/inspection/DEA/0210/background.htm (September 2002).	
	R20	VASS, A., "Beyond the Grave – Understanding Human Decomposition," <i>Microbiology Today</i> , Nov. 2001, 28:190-192.	
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	R22	VASS, A. <i>et al.</i> , "Detection of Buried Human Remains Using Bioreporter Fluorescence," U.S. Dept. of Energy Report, Y/NSP-726 (2001).	

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